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**IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM**

RONALD L. MCNINCH JR., ) CIVIL CASE NO. 16-00021  
Plaintiff, )  
v. )  
UNIVERSITY OF GUAM, ) MOTION TO DISMISS  
Defendant. ) PLAINTIFF'S COMPLAINT  
[FED. R. CIV. P. 12(b)(6)]

Defendant UNIVERSITY OF GUAM hereby moves the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss this instant action for failure to state a claim. The motion is supported by a memorandum of points and authorities being filed contemporaneously with this motion.

Dated this 28<sup>th</sup> day of June, 2016.

**THOMPSON THOMPSON & ALCANTARA, P.C.**  
Attorneys for Defendant University of Guam

By: /s/ R. TODD THOMPSON  
**R. TODD THOMPSON**

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